

87TH CONGRESS  
1ST SESSION

**H. R. 6581**

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IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 1961

Mr. HARRIS introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

# A BILL

To authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3 That title V of the Communications Act of 1934 is amended  
4 by adding at the end thereof a new section as follows:

5 "FORFEITURE IN CASES OF VIOLATIONS OF CERTAIN RULES

## 6 AND REGULATIONS

7       “SEC. 510. (a) Where any radio station, other than li-  
8       censed radio stations in the broadcast service or stations

1 governed by the provisions of parts II and III of title III  
2 and section 507 of this Act—

3 “(1) is operated by any person not holding a valid  
4 radio operator license or permit of the class prescribed  
5 in the rules and regulations of the Commission for the  
6 operation of such station;

7 “(2) is operated without identifying the station at  
8 the times and in the manner prescribed in the rules  
9 and regulations of the Commission;

10 “(3) transmits any false call contrary to regulations  
11 of the Commission;

12 “(4) is operated on a frequency not authorized by  
13 the Commission for use by such station;

14 “(5) transmits unauthorized communications on  
15 any frequency designated as a distress or calling fre-  
16 quency in the rules and regulations of the Commission;

17 “(6) interferes with any distress call or distress  
18 communication contrary to the regulations of the Com-  
19 mission;

20 “(7) fails to attenuate spurious emissions to the  
21 extent required by the rules and regulations of the Com-  
22 mission;

23 “(8) is operated with power in excess of that  
24 authorized by the Commission;

1           “(9) renders a communication service not author-  
2           ized by the Commission for the particular station;

3           “(10) is operated with a type of emission not au-  
4           thorized by the Commission;

5           “(11) is operated with transmitting equipment  
6           other than that authorized by the Commission; or

7           “(12) willfully or repeatedly fails to respond to  
8           official communications from the Commission;

9   the person or persons operating such station and the licensee  
10 of the station shall, in addition to any other penalty pre-  
11 scribed by law, each forfeit to the United States the sum of  
12 \$100. The violation of the provisions of each numbered  
13 clause of this subsection shall constitute a separate offense:  
14 *Provided*, That \$100 shall be the maximum amount of for-  
15 feiture liability for which any person shall be liable under this  
16 section for violations of any one of the numbered clauses of  
17 this subsection, irrespective of the number of violations  
18 thereof occurring within ninety days prior to the date the  
19 notice of apparent liability is issued or sent as provided in  
20 subsection (c) of this section: *And provided further*, That  
21 \$500 shall be the maximum amount of forfeiture liability for  
22 which any such person shall be liable under this section for

1 all violations of this section, irrespective of the total number  
2 thereof, occurring within ninety days prior to the date said  
3 notice of apparent liability is issued or sent as provided in  
4 subsection (c) of this section.

5 “(b) The forfeiture liability provided for in this section.  
6 shall attach only for a willful, or negligent, or repeated viola-  
7 tion by any such person of the provisions of this section.

8 “(c) No forfeiture liability under this section shall  
9 attach after the lapse of ninety days from the date of the  
10 violation unless within such time a written notice of apparent  
11 liability, setting forth the facts which indicate apparent  
12 liability, shall have been issued by the Commission and re-  
13 ceived by such person, or the Commission has sent him such  
14 notice by registered mail or by certified mail at his last  
15 known address. The person so notified of apparent lia-  
16 bility shall be afforded an opportunity to show cause in  
17 writing why he should not be held liable and, upon his re-  
18 quest, he shall be afforded an opportunity for a personal in-  
19 terview with an official of the Commission at the field office  
20 of the Commission nearest to such person's place of  
21 residence.”

22 SEC. 2. Section 504 (b) of the Communications Act of  
23 1934 (47 U.S.C. 504 (b) ) is amended by striking out “sec-

1 tion 503 (b) and section 507” and inserting in lieu thereof  
2 “, section 503 (b) , section 507, and section 510”.

3 SEC. 3. This Act shall take effect on the thirtieth day  
4 after the date of its enactment.

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By Mr. HARRIS

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